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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,729	03/29/2001	Hironori Yahagi	826.1721	4351

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EXAMINER

HONEYCUTT, KRISTINA B

ART UNIT PAPER NUMBER

2178

DATE MAILED: 09/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/819,729

Applicant(s)

YAHAGI, HIRONORI

Examiner

Kristina B. Honeycutt

Art Unit

2178

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 September 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-14.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: Regarding independent claim 1, Applicants argue that Zeng does not teach "the preservation of text relationship" (p.7, para. 3). The Examiner disagrees because Zeng teaches generating a new text element by combining contents of text elements relatively at a same position among two records or more of the structured document to preserve a text relationship between the contents (Abstract; Figures 6, 7; p.2, para. 19, 20; p.3, para. 34; p.4, para. 52). Zeng teaches an image that includes text being divided into a tree. Using filters, the nodes of the tree are combined to form new elements. Figure 6 represents an input image that has been segmented into subregions (p.3, para. 32). Figure 7 shows the segmentation and filter assignment of Figure 6 after the merging process (p.3, para. 34). The nodes have been merged based on shared filters (A, B, C). The text (the binary numbers 0000 through 1111) have been preserved in the tree since each 4 digit number can still reach the correct filter by traversing the tree.

Applicants further argue that Brintzenhofe and Zeng do not discuss the text compression where there is a replacement of two or more text records with a new text record (p.9, para. 2). The Examiner disagrees because the term "text compression" is not claimed in the presently presented claims. Furthermore, Zeng teaches replacing multiple records with a new record, thereby decreasing the number of hierarchical elements of the structured document (Figures 6, 7; p.3, para. 34). Figure 6 represents an input image that has been segmented into subregions (p.3, para. 32) and Figure 7 shows Figure 6 after the nodes with common filter have been merged (p.3, para. 34). The nodes have been replaced by new elements since all nodes beginning with "00" and having a filter "A" have been replaced by a single A node.

Dependent claim 2 depends from independent claim 1 and is therefore rejected at least based on the rejections above.

Independent claims 9, 10, 11 and 14 recite similar limitations to independent claim 1 and are therefore rejected at least based on the rejections above.

Independent claims 3, 12 and 13 recite similar limitations to independent claim 1. The Ardoin reference teaches the limitations of claims 3, 12 and 13 that are not taught by Brintzenhofe and Zeng.

Dependent claims 4-8 depend from independent claim 3 and are therefore rejected at least based on the rejections above.


CESAR PAULA
PRIMARY EXAMINER